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MARRIAGE—ANNULMENT FOR FRAUD.—The plaintiff, a man weakened by age and by physical and mental disabilities, was induced to marry the defendant, who represented to him that she was a virtuous woman. In fact her reputation for immorality was notorious. Plaintiff had a small amount of property. *Held*, that the marriage should be annulled because of the fraudulent representation. *Entsminger v. Entsminger* (Kans. 1916), 161 Pac. 607.

The almost universal rule is that a marriage will not be annulled because of ante-nuptial unchastity, either in case of mere concealment or in case of positive misrepresentations as to virtue. *Varney v. Varney*, 52 Wis. 120; *Allen's Appeal*, 99 Pa. St. 196; *Leavitt v. Leavitt*, 13 Mich. 452; *Farr v. Farr*, 2 MacArthur (D. C.) 35. In New York it is held, contrary to the general rule, that a marriage will be annulled because of fraud when false representations have been made upon such a material matter that the marriage would not have taken place but for the misrepresentation. *Di Lorenzo v. Di Lorenzo*, 174 N. Y. 467; *Domschke v. Domschke*, 122 N. Y. Supp. 892. The courts will annul a marriage more readily when the defrauded party is very young and inexperienced or is old and with impaired mental faculties. In *Lyndon v. Lyndon*, 69 Ill. 43; *Parsons v. Parsons*, 68 Vt. 95; and *Robertson v. Cole*, 12 Tex. 356, marriages into which very young and inexperienced girls were inveigled by misrepresentations were annulled, no consummation having taken place. An exception to the rule that ante-nuptial unchastity is no ground for divorce exists when the woman is pregnant by another man at the time of marriage. *Allen's Appeal*, 99 Pa. St. 196; *Donovan v. Donovan*, 91 Mass. (9 Allen) 140. But the fact that a man before his marriage conceals or misrepresents the fact that another woman is pregnant from him will not give his wife grounds to secure annulment. *Hull v. Hull*, 191 Ill. App. 307. The instant case goes very far in allowing annulment. In *Hides v. Hides*, 65 How. Prac. (N. Y.) 17, the plaintiff was old and infirm; defendant, a notoriously unchaste woman, induced him to marry her by misrepresentations as to her virtue, and by statements that the spirits commanded that they marry, she representing herself to be a medium and he being a strong believer in spiritualism. The marriage was annulled. This is a New York case where the rule as to annulment is very liberal. In *Browning v. Browning*, 89 Kans. 98, a woman of thirty induced a boy of nineteen to marry her, representing that she was virtuous and that she had obtained a divorce from her former husband, whereas she was a prostitute and her former husband had divorced her for adultery: annulment was allowed at the suit of the boy. In *Sylvester v. Sylvester*, 180 Mich. 512, the defendant wife had been unchaste before marriage; it was held that the marriage should not be annulled on the ground that it did not clearly appear that the plaintiff husband had not been intimate with her before marriage. The court was evenly divided, four judges maintaining that there was not sufficient evidence of his previous intimacy with her, and that annulment should be granted.